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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,991	07/26/2000	Timothy Brown	05156.00012	8490

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EXAMINER

MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/625,991	BROWN, TIMOTHY
	Examiner	Art Unit
	Tony Mahmoudi	2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 22 August 2002.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1 and 2 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
  - a) All    b) Some \*    c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

*DOV POPOVICI*

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**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

- 4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because it includes improper language such as “disclosed” (in line 2), and “said” (once in line 4, and twice in line 7.) See MPEP 608.01(b). Correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al (U.S. patent No. 6,167,395) in view of Jain et al (U.S. patent No. 5,915,250.)

As to claim 1, Beck et al teaches an apparatus (see Abstract) for using a floating pallet (see column 34, lines 32-34, where “floating pallet” is read on “pop-up editing window”) for a system in a plurality of different applications (see column 8, lines 9-24), comprising:

means for creating a single extension plug in (see column 26, lines 46-51) to interface with API's of all of the plurality of different applications (see column 27, lines 36-40), wherein the extension plug-in communicates with the system (see column 31, lines 45-53); means for creating the floating pallet for the system in one of the plurality of different applications wherein the floating pallet uses the properties and behaviors of a selected application (see column 50, lines 15-19, where "properties and behaviors" is read on "characteristics"); and

means for indicating that a file has been transferred from the system to the selected application (see column lines 63-67, and see column 43, lines 14-29.)

Beck et al does not teach the floating pallet interfacing with a digital asset management system.

Jain et al teaches a system and method for content-based search and retrieval of visual objects (see Abstract), in which he teaches a digital asset management system (see column 3, lines 59-63) interfacing with other applications through plug-ins (see column 4, lines 13-18) and APIs (see column 6, lines 31-41.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Beck et al to include the floating pallet interfacing with a digital asset management system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Beck et al, by the teaching of Jain et al, because the floating pallet interfacing with a digital asset management system, would enable the user to utilize the search and retrieve capabilities of the floating pallet, from his/her computer to

access and search a variety of databases, including those of digital asset management systems, in order to search, retrieve, and view results from various databases storing digital (image, audio, visual, etc.) data.

As to claim 2, Beck et al as modified teaches the apparatus further comprising:

means for using the floating pallets (see Beck et al, column 4, lines 62-64 where “floating pallet” is read on “threading software application”) to request a search (see Becket al, column 4, lines 65-66) of digital assets (see Jain et al, column 4, line 58 through column 5, line 3) using user entered search criteria (see Beck et al, column 49, line 66 through column 50, line 5”);

means for transferring the search criteria (Beck et al, column 31, lines 4-12) to the digital asset management system through the extension plug-in (see Jain et al, column 4, lines 13-19);

means for performing the search (see Beck et al, column 32, lines 38-40) and creating a list of results (see Beck et al, column 32, lines 55-61, and see column 47, lines 45-50);

means for transferring the list of results back to the application through the extension plug-in (see Beck et al, column 33, lines 3-12, and see column 34, lines 52-59); and

means for displaying the list of results in the application (see Beck et al, figure 16, where **researcher 320** is illustrated, and see column 47, lines 43-46.)

***Response to Arguments***

Applicant's arguments filed on 22-August-2002 with respect to claims 1-2 have been considered but are moot in view of the new grounds of rejection.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
5. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

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November 12, 2002



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